

1 MELINDA HAAG (CABN 132612)  
United States Attorney

Filed

NOV 20 2013

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

SEALED BY ORDER  
OF THE COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

EID

11  
12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 YUJEN CHEN, and  
16 MARIA CHEN,

17 Defendants.

CR13 00750

HRL

) VIOLATIONS: 18 U.S.C. § 1349 — Conspiracy to  
) Commit Wire Fraud; 18 U.S.C. § 1343 — Wire  
) Fraud; 18 U.S.C. § 1956(a)(2)(A) — International  
) Money Laundering; 18 U.S.C. § 553(a)(1) —  
) Exportation of Stolen Motor Vehicles; 18 U.S.C.  
) § 1028(a)(7) — Identity Theft; 18 U.S.C. 1028A —  
) Aggravated Identity Theft; 18 U.S.C. § 981(a)(1)(C)  
) and 28 U.S.C. § 2461 — Forfeiture of Fraud Proceeds

18  
19 INDICTMENT

20 The Grand Jury charges:

21 At all times relevant to this Indictment, unless otherwise indicated:

22 Introductory Allegations

23 1. Defendants YUJEN CHEN and MARIA CHEN were married to each other, and together, the  
24 two owned and controlled the company 888 Auto Corporation. The company was also known as 888  
25 Auto Brokers (collectively, hereinafter referred to as "888 Auto"). YUJEN CHEN was the President of  
26 888 Auto. MARIA CHEN was the CEO of 888 Auto.

27 2. 888 Auto bought and sold cars. The company also acted as a broker to persons seeking to  
28 purchase cars. The company exported cars abroad, primarily to buyers in China. 888 Auto's

INDICTMENT

1 last known and primary place of business was 710 E. El Camino Real in Sunnyvale, in the Northern  
2 District of California.

3 3. Defendants YUJEN and MARIA CHEN employed a number of people at 888 Auto. Family  
4 members also worked for YUJEN and MARIA CHEN, including, among others, persons known to the  
5 Grand Jury as Family Member 1, Family Member 2, and Family Member 3.

6 4. In addition to 888 Auto, YUJEN and MARIA CHEN owned or controlled the following entities:  
7 L&W Enterprise; Universal Touring; Walter Consulting; Auto Resources; and Hope Auto. With the  
8 exception of L&W Enterprise and Hope Auto, each entity was registered in the names of YUJEN or  
9 MARIA CHEN.

10 5. The entities VW Credit Leasing, Mercedes-Benz Financial Services, US Bank, Porsche Financial  
11 Services, BMW Financial Services, Audi Financial Services, and Toyota Financial Services (the  
12 "Finance Companies") were companies that provided financing for retail customers of automobiles from  
13 automotive dealerships.

14 6. The California Department of Motor Vehicles (DMV) was an agency of the State of California  
15 that recorded ownership for motor vehicles sold, operated, and leased in California.

16 7. Customs and Border Protection (CBP) was a component of the Department of Homeland  
17 Security, an agency of the United States. CBP enforced the import and export laws and regulations of  
18 the United States. In that role, CBP administered the export of goods, including motor vehicles, out of  
19 the United States for sale in a foreign country at designated ports of entry. The seaport of Oakland and  
20 the airport of San Francisco were designated ports of entry.

21 Background Regarding Check Clearing Process

22 8. In general, the banking system in the United States operates through a system of interstate wire  
23 transmissions to monitor and transmit financial transactions, and to record such financial transactions.  
24 The Bank of America is a financial institution based in Charlotte, North Carolina, with offices and  
25 customers located throughout the United States, including California. The Bank of America utilizes a  
26 system of interstate wire transmissions to monitor, record, and transmit financial transactions. For  
27 example, a payment made by a check drawn from a Bank of America account holder, or to a Bank of  
28 America account holder, causes a series of interstate wire transmissions. The processing of such a check

1 causes an interstate wire transmission between a point of origin where the check was initially processed,  
2 to Richardson, Texas, and then back to the point of origin. An image of the check is also sent via  
3 interstate wires for retention by the Bank of America in Dallas, Texas, and Boulder, Colorado, and is  
4 accessible to bank customers throughout the world via interstate wire transmissions accessible through  
5 the Internet.

6 9. The FEDWIRE system is an electronic funds transfer and book-entry securities transfer service  
7 that links the Federal Reserve Banks with approximately 10,000 depository institutions nationwide.  
8 Every funds transfer sent through FEDWIRE automatically triggers an electronic wire communication to  
9 the Funds Transfer Host Application located in East Rutherford, New Jersey, for registration before  
10 being transferred to its final destination.

#### 11 Background Regarding Auto Leasing and Auto Exporting

12 10. Every new motor vehicle sold in California is labeled by the manufacturer with a unique  
13 Vehicle Identification Number ("VIN"). Ownership of a motor vehicle is then established through a  
14 certificate of title ("the title") that corresponds to the VIN number of that motor vehicle.

15 11. A customer leases a vehicle through a dealership by first filling out a credit application. Once  
16 the credit application is filled out the dealership electronically sends the information through a credit  
17 score retrieval system. The system makes electronic inquiries to retrieve the credit score to at least one  
18 of the three main credit bureaus. Once the dealership receives a credit score response, and the customer  
19 is approved, a lease agreement is drafted and signed by the customer. The customer may owe "drive off  
20 fees" that are due before the vehicle is driven off the dealership lot. The drive off fees may include the  
21 first month's payment, bank fees, vehicle registration fees, and other miscellaneous fees. Once a  
22 customer signs a lease agreement, and the lease is approved by the financial institution, the financial  
23 institution holds title until the customer has paid the vehicle off in full.

24 12. Automotive manufacturers ("manufacturers") generally have contractual agreements with their  
25 dealerships that new automobiles made for sale inside the United States may not be sold to individuals  
26 or companies intending to export the new automobiles outside the United States. The reasons for such  
27 limits are, among other things, the desire to control the distribution of vehicles to dealers foreign and  
28 domestic; to monitor and respond to issues relating to vehicle service and safety issues; and to protect

1 intellectual property and brand rights of their vehicles.

2 13. An automotive broker ("broker") is a dealer who engages in the business of brokering.  
3 Brokering is defined as an arrangement under which a dealer, for a fee or other consideration, regardless  
4 of the form or time of payment, provides or offers to provide the service of arranging, negotiating,  
5 assisting, or effectuating the purchase of a new or used motor vehicle, not owned by the dealer, for  
6 another or others.

7 14. Freight forwarders are firms specializing in facilitating the exportation of vehicles overseas for  
8 their clients. Freight forwarders typically receive documents in support of the exportation of the  
9 vehicles. Such documents include: Manufacturer's Statement of Origin, California DMV registration  
10 card/or DMV vehicle title, Vehicle Sales Contract, Air Way Bill, and Customs Cover Letter. The  
11 Freight forwarders also load the vehicles in containers for exportation. The freight forwarder then  
12 submits, on behalf of its clients, documents to United States Customs and Border Protection ("U.S.  
13 Customs") for approval. Once U.S. Customs approves the paperwork, the vehicles are exported. The  
14 containers are loaded on a boat or airplane and shipped overseas.

15 The Scheme and Artifice to Defraud

16 15. Beginning on a date unknown to the Grand Jury, but no later than in 2008, and continuing  
17 through the present, the defendants, YUJEN CHEN and MARIA CHEN, used 888 Auto, and its related  
18 entities, to defraud individuals, as well as automotive dealerships, manufacturers, and finance  
19 companies, out of money and property related to the leasing, financing, and exporting of vehicles.

20 16. As part of this conspiracy to defraud and to obtain money by means of materially false and  
21 fraudulent pretenses, representations, and promises, the defendants solicited individuals to act as straw  
22 purchasers, leased and financed vehicles, used the identification of others without authorization to lease  
23 vehicles, "washed" the vehicle title documents to indicate ownership of the leased vehicles, made lulling  
24 lease payments to the financial institutions who underwrote the leases, exported these vehicles from the  
25 United States, to China and elsewhere, falsely promised to straw purchasers and others to repay the lease  
26 obligation, and provided straw purchasers and other customers checks and financial instruments with  
27 insufficient funds.

28 17. The objects of the conspiracy were carried out, in substance, as follows:

- 1 a. Defendants YUJEN and MARIA CHEN, as well as persons working for the defendants,  
2 recruited straw lessees to lease vehicles from dealerships located in the Northern District  
3 of California and elsewhere. Each lessee was offered a sum of money to act as a straw  
4 lessee, usually around \$500. The straw lessees were promised that YUJEN and MARIA  
5 CHEN would assume the lease payments, and the straw lessees would not be financially  
6 responsible for the lease. After the lease arrangement was completed, the straw lessees  
7 would turn the vehicles over to the CHENS.
- 8 b. YUJEN and MARIA CHEN made initial payments to the automotive finance companies,  
9 and/or reimbursed the straw lessors any fees they incurred at the time of leasing the  
10 vehicles.
- 11 c. YUJEN and MARIA CHEN identified foreign purchasers for leased vehicles.
- 12 d. YUJEN and MARIA CHEN falsified DMV paperwork to transfer title from the financing  
13 company or straw lessor to an entity owned or controlled by YUJEN or MARIA CHEN.
- 14 e. YUJEN and MARIA CHEN caused the vehicle to be forwarded to a freight forwarder for  
15 the purpose of exporting the car to a foreign buyer.
- 16 f. YUJEN and MARIA CHEN provided or caused to be provided customs paperwork to a  
17 freight forwarder that included a fraudulently obtained "washed" DMV title.
- 18 g. YUJEN and MARIA CHEN caused the leased vehicle to be shipped abroad.
- 19 h. YUJEN and MARIA CHEN ceased the financing payments on the leased vehicles.
- 20 i. YUJEN and MARIA CHEN used the identities of others without authorization to lease  
21 vehicles in the names of others, and repeated the fraudulent financing, title washing, and  
22 exporting scheme.
- 23 j. YUJEN and MARIA CHEN acted as vehicle brokers, and received money from persons  
24 to purchase vehicles. But instead of paying the dealers the money received from the  
25 persons for the vehicles, the CHENS <sup>CAS 11/20/13</sup> used without authorization the identities of these  
26 persons to lease or finance the vehicles, and kept the money for themselves.
- 27 k. YUJEN and MARIA CHEN promised straw lessees and other customers that they would  
28 assume financial responsibility for the financed vehicles.

1 1. YUJEN and MARIA CHEN provided straw lessees and other customers with checks and  
2 other financial instruments that lacked sufficient funds to satisfy the obligation.

3 COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

4 18. Paragraphs One through Seventeen of this Indictment are re-alleged and incorporated as if fully  
5 set forth here.

6 19. Beginning on a date unknown to the Grand Jury, but no later than in 2008, and continuing  
7 through the present, the defendants,

8 YUJEN CHEN, and  
9 MARIA CHEN,

10 did knowingly conspire and agree with each other to execute, and to attempt to execute, in the Northern  
11 District of California and elsewhere, a material scheme and artifice: (1) to defraud individuals, as well as  
12 automotive dealerships, manufacturers, and finance companies, out of money and property related to the  
13 leasing, financing, and exporting of vehicles; and (2) to obtain money and property by means of  
14 materially false and fraudulent pretenses, representations, and promises, and, for the purpose of  
15 executing such scheme and artifice and attempting to do so, knowingly to transmit, and cause to be  
16 transmitted, by wire in interstate commerce certain writings, signs, signals, pictures.

17 All in violation of Title 18, United States Code, Section 1349.

18  
19 COUNTS TWO THROUGH SEVEN: (18 U.S.C. § 1343 – Wire Fraud; 18 U.S.C. § 2 – Aiding  
20 and Abetting)

21 20. Paragraphs One through Seventeen of this Indictment are re-alleged and incorporated as if fully  
22 set forth here.

23 21. On or about the dates set forth in the separate counts below, in the Northern District of  
24 California, and elsewhere, for the purpose of executing the aforementioned scheme and artifice to  
25 defraud, and attempting to do so, the defendants,

26 YUJEN CHEN, and  
27 MARIA CHEN,

28 did knowingly cause to be transmitted, in interstate and foreign commerce, by means of a wire

INDICTMENT

1 communication, certain writings, signs, and signals, including checks processed outside the State of  
2 California, including the States of Texas and Colorado, and did aid and abet the same, as described  
3 below:

Count	Date	Bank	Account Number	WIRE COMMUNICATION
2	December 3, 2008	Bank of America	-8838	Check from 888 Auto signed by Maria Chen in the amount of \$4,098 to T.H. re reimbursement for payment on Porsche VIN ending 0380.
3	May 4, 2009	Bank of America	-8838	Wire transfer from 888 Auto Corp. business account in Sunnyvale, California, in the amount of \$1,708.40 to VW Credit Leasing in State, re VIN ending 5450.
4	May 8, 2009	Bank of America	-8838	International wire transfer to 888 Auto business account in Sunnyvale, California in the amount of \$57,905.
5	October 13, 2009	Bank of America	-8838	Check from 888 Auto signed by W.C. in the amount of \$37,760.59 to cash for VCI Account Services re Audi VIN ending 8546.
6	July 22, 2010	Bank of America	-8838	Check from 888 Auto signed by Maria Chen in the amount of \$2,208 to Speedy International re export of two Toyotas VINs ending 7718 and 0590.
7	August 13, 2010	Bank of America	-8838	Check from 888 Auto signed by Yujen Chen to Mercedes Benz Financial in the amount of \$3,408.36 for payment on Mercedes Benz VIN ending 0798.

19 Each in violation of Title 18, United States Code, Sections 1343 and 2.

20 COUNT EIGHT:

(18 U.S.C. 1956(a)(2)(A) — International Money Laundering; 18  
21 U.S.C. § 2 – Aiding and Abetting)

22 22. Paragraphs One through Seventeen of this Indictment are re-alleged and incorporated as if fully  
23 set forth here.

24 23. On or about November 25, 2008, in the Northern District of California and elsewhere, the  
25 defendants,

26  
27 YUJEN CHEN, and  
28 MARIA CHEN,

INDICTMENT

1 did transport, transmit, transfer and attempt to transport, transmit, and transfer funds, and did aid and  
2 abet the same, in particular, the transfer of funds via electronic wire from the Bank of China, in Hong  
3 Kong, to the Bank of America account ending -8838, in the United States of America, in the amount of  
4 \$171,385, such account controlled by the defendants, with the intent to promote the carrying on of  
5 specified unlawful activity, in particular, wire fraud, in violation of 18 U.S.C. § 1343, and conspiracy to  
6 do the same, in violation of 18 U.S.C. § 1349.

7 All in violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 2.

8 COUNT NINE:

(18 U.S.C. 1956(a)(2)(A) — International Money Laundering; 18  
U.S.C. § 2 – Aiding and Abetting)

10 24. Paragraphs One through Seventeen of this Indictment are re-alleged and incorporated as if fully  
11 set forth here.

12 25. On or about July 2, 2009, in the Northern District of California and elsewhere, the defendants,

13 YUJEN CHEN, and  
14 MARIA CHEN,

15 did transport, transmit, transfer and attempt to transport, transmit, and transfer funds, and did aid and  
16 abet the same, in particular, the transfer of funds via electronic wire from the Bank of China, in Hong  
17 Kong, to the Bank of America account ending -8838, in the United States of America, in the amount of  
18 \$160,077, such account controlled by the defendants, with the intent to promote the carrying on of  
19 specified unlawful activity, in particular, wire fraud, in violation of 18 U.S.C. § 1343, and conspiracy to  
20 do the same, in violation of 18 U.S.C. § 1349.

21 All in violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 2.

22 COUNTS TEN THROUGH FOURTEEN:

(18 U.S.C. § 553(a)(1) — Exportation of Stolen Motor  
Vehicles)

23 26. On or about the dates set forth in the below table, in the Northern District of California, the  
24 defendants,

25 YUJEN CHEN, and  
26 MARIA CHEN,

27 did export the following motor vehicles, knowing the same to have been stolen,  
28



Count	Date Exported	VEHICLE
10	May 21, 2009	Audi Q7, VIN WAIEY74L09D020289
11	July 13, 2009	2009 BMW X5, VIN 5UXFE435X9L261141
12	May 11, 2010	2010 Mercedes Benz GL550, VIN 4JGBF8GE6AA590798
13	June 25, 2010	2011 Toyota Sienna, VIN 5TDKK3DC3BS027718
14	September 22, 2010	2010 Mercedes Benz GL550, VIN 4JGBF8GE2AA587803

Each in violation of Title 18, United States Code, Section 553(a)(1).

COUNTS FIFTEEN THROUGH NINETEEN: (18 U.S.C. §§ 1028(a)(7), (b)(1), (c)(3), and (f); 18 U.S.C. § 2 — Identity Theft)

27. Paragraphs One through Seventeen of this Indictment are hereby re-alleged and incorporated as if fully set forth herein.

28. On or about the dates set forth in the below table, in the Northern District of California, the defendants, identified below, did knowingly possess and use in or affecting interstate or foreign commerce, and conspired to the same, without lawful authority, a means of identification of another person, as described in the below table, with the intent to commit, or to aid or abet, or in connection with, any unlawful activity that constitutes a violation of Federal law, in particular, Conspiracy to Commit Wire Fraud (18 U.S.C. § 1349), and the offense involved the possession and use of a driver's license, among other means of identification, and, as a result of the offense, the defendant or any other individual committing the offense, obtained anything of value aggregating \$1,000 or more during any 1-year period, as follows:

Count	Date	Person	Defendant	Means of Identification and Related Vehicles
15	July 15, 2009	WL	YUJEN CHEN	Name Social Security Number Address 2009 Audi Q5 WA1KK78R09A018546
16	August 27, 2009	RC	YUJEN CHEN	Name Social Security Number Date of Birth Driver's License Number

Commit	Date	Person	Defendant	Means of Identification and Related Vehicles
				Motor Vehicle Insurance Account Number Address 2010 Toyota Sequoia VIN 5TDDY5G10AS025419
17	May 14 and 15, 2010	QPB	YUJEN CHEN MARIA CHEN	Name Social Security Number Date of Birth Driver's License Number Motor Vehicle Insurance Account Number Address 2011 Toyota Sienna VIN 5TDKK3DC3BS027718 2011 Toyota Sienna VIN 5TDKK3DC7BS030590
18	May 4, 2012	SL	YUJEN CHEN	Name Social Security Number Date of Birth Driver's License Number Motor Vehicle Insurance Account Number Address 2012 Toyota Prius VIN JTDZN3EU9C3123157
19	June 21, 2012	WY	YUJEN CHEN MARIA CHEN	Name Social Security Number Date of Birth Driver's License Number Motor Vehicle Insurance Account Number Address Toyota Camry VIN 4T4BF1FKOCR222588

Each in violation of Title 18, United States Code, Sections 1028(a)(7), (b)(1)(A)(ii) and (b)(1)(D), (c)(3), and (f), and 2.

COUNTS TWENTY THROUGH TWENTY-FOUR : (18 U.S.C. § 1028A(a)(1) — Aggravated Identity Theft)

29. On or about the dates set forth below, in the Northern District of California, the defendants, identified below, did knowingly possess and use, without lawful authority, means of identification of another person, during and in relation to the felony violation of 18 U.S.C. § 1349, Conspiracy to Commit Wire Fraud, and 18 U.S.C. § 1343, Wire Fraud, against the persons identified in the Counts

below, as follows:

Count	Date	Person	Defendant	Related Count
20	July 15, 2009	WL	YUJEN CHEN	Count Fifteen
21	September 12, 2009	RC	YUJEN CHEN	Count Sixteen
22	May 14 and 15, 2010	QPB	YUJEN CHEN MARIA CHEN	Count Seventeen
23	May 4, 2012	SL	YUJEN CHEN	Count Eighteen
24	June 21, 2012	WY	YUJEN CHEN MARIA CHEN	Count Nineteen

Each in violation of Title 18, United States Code, Section 1028A(a)(1).

**FORFEITURE ALLEGATION**

(18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) — Forfeiture of Proceeds of Specified Unlawful Activity)

30. The allegations set forth in paragraphs One through Seventeen, and in each of Counts One through Seven, conspiracy to commit wire fraud, and wire fraud, are re-alleged and incorporated as if fully set forth here for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c). Upon conviction for any offense alleged in Counts One through Seven, for conspiracy to commit wire fraud and wire fraud, the defendants shall forfeit to the United States all property, constituting and derived from proceeds traceable to said offense.

31. If any of said property, as a result of any act or omission of the defendant:

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to or deposited with, a third person;
- C. has been placed beyond the jurisdiction of the Court;
- D. has been substantially diminished in value; or
- E. has been commingled with other property which cannot be subdivided without difficulty;

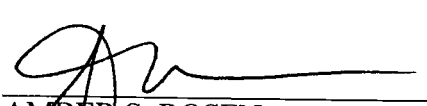
1 any and all interest defendant has in other property shall be vested in the United States and forfeited to  
2 the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28,  
3 United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure.

4  
5 DATED: 11/20/13

A TRUE BILL.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
  
FOREPERSON

MELINDA HAAG  
United States Attorney

  
AMBER S. ROSEN  
Deputy Chief, San Jose Office

(Approved as to form: )  
AUSA KALEBA

# Filed

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

### OFFENSE CHARGED

Count One: 18 U.S.C. § 1349 — Conspiracy to Commit Wire Fraud;  
 Counts Two-Seven: 18 U.S.C. § 1343 — Wire Fraud;  
 Counts Eight and Nine: 18 U.S.C. § 1956(a)(2)(A) — International Money Laundering;  
 Counts Ten-Fourteen: 18 U.S.C. § 553(a)(1) — Exportation of Stolen Motor Vehicles;

☐ Misdemeanor  
☒ Felony

PENALTY: Maximum imprisonment — 20 years  
 Maximum fine — \$250,000 or twice the gross gain or loss  
 Supervised release term — 3 years  
 Special assessment — \$100

NAME OF DISTRICT COURT, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA  
 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT SAN JOSE DIVISION  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE

DEFENDANT - U.S.

Yujen Chen

DISTRICT COURT NUMBER

CR 13 00750

HRL

### PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

IRS /Special Agent Danielle Singleton

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW  
DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE  
CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person  
Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.  
Attorney (if assigned) DANIEL KALEBA

### DEFENDANT

#### IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.  
 1) ☐ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

#### IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction

☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

### PROCESS:

☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT

Bail Amount: 0

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

Δ1

*United States v. Chen et al.*  
Penalty Sheet Attachment

COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

Maximum imprisonment – 20 years  
Maximum fine – \$250,000 or twice the gross gain or loss  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS TWO THROUGH SEVEN: (18 U.S.C. § 1343 – Wire Fraud; 18 U.S.C. § 2 – Aiding and Abetting)

Maximum imprisonment – 20 years  
Maximum fine – \$250,000 or twice the gross gain or loss  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS EIGHT and NINE: (18 U.S.C. 1956(a)(2)(A) — International Money Laundering;  
18 U.S.C. § 2 – Aiding and Abetting)

Maximum imprisonment – 20 years  
Maximum fine – \$500,000 or twice the value of the monetary instrument or funds involved  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS TEN THROUGH FOURTEEN: (18 U.S.C. § 553(a)(1) — Exportation of Stolen Motor Vehicles)

Maximum imprisonment – 10 years  
Maximum fine – \$250,000 or twice the gross gain or loss  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS FIFTEEN THROUGH NINETEEN: (18 U.S.C. §§ 1028(a)(7), (b)(1), (c)(3), and (f);  
18 U.S.C. § 2 — Identity Theft)

Maximum imprisonment – 15 years  
Maximum fine – \$250,000 or twice the gross gain or loss  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS TWENTY THROUGH TWENTY-FOUR : (18 U.S.C. § 1028A(a)(1) —  
Aggravated Identity Theft)

Maximum imprisonment – twenty-four months mandatory consecutive to any sentence imposed

# DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

## OFFENSE CHARGED

Count One: 18 U.S.C. § 1349 — Conspiracy to Commit  
 Fraud;  
 Counts Two- Seven: 18 U.S.C. § 1343 — Wire Fraud;  
 Counts Eight and Nine: 18 U.S.C. § 1956(a)(2)(A) —  
 International Money Laundering;  
 Counts Ten-Fourteen: 18 U.S.C. § 553(a) — Exportation of  
 Stolen Motor Vehicles:

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

PENALTY: Maximum imprisonment — 20 years  
 Maximum fine — \$250,000 or twice the gross gain or loss  
 Supervised release term — 3 years  
 Special assessment — \$100

NOV 21 2013  
 Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING  
 U.S. DISTRICT COURT SAN JOSE DIVISION  
 SAN JOSE

DEFENDANT - U.S.

▶ Maria Chen

DISTRICT COURT NUMBER

CR13 00750

HRL

## PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

IRS /Special Agent Danielle Singleton

☐ person is awaiting trial in another Federal or State Court,  
 give name of court

☐ this person/proceeding is transferred from another district  
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of  
 charges previously dismissed  
 which were dismissed on motion  
 of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW  
 DOCKET NO.

☐ this prosecution relates to a  
 pending case involving this same  
 defendant

MAGISTRATE  
 CASE NO.

☐ prior proceedings or appearance(s)  
 before U.S. Magistrate regarding this  
 defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.  
 Attorney (if assigned)

DANIEL KALEBA

## DEFENDANT

### IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior  
 summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

### IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer ☐ Yes  
 been filed? ☐ No

If "Yes"  
 give date  
 filed

DATE OF  
 ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED  
 TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

## PROCESS:

☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT

Bail Amount: 0

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or  
 warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

Δ2

*United States v. Chen et al.*  
Penalty Sheet Attachment

COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

Maximum imprisonment – 20 years  
Maximum fine – \$250,000 or twice the gross gain or loss  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS TWO THROUGH SEVEN: (18 U.S.C. § 1343 – Wire Fraud; 18 U.S.C. § 2 – Aiding and Abetting)

Maximum imprisonment – 20 years  
Maximum fine – \$250,000 or twice the gross gain or loss  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS EIGHT and NINE: (18 U.S.C. 1956(a)(2)(A) – International Money Laundering;  
18 U.S.C. § 2 – Aiding and Abetting)

Maximum imprisonment – 20 years  
Maximum fine – \$500,000 or twice the value of the monetary instrument or funds involved  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS TEN THROUGH FOURTEEN: (18 U.S.C. § 553(a)(1) – Exportation of Stolen Motor Vehicles)

Maximum imprisonment – 10 years  
Maximum fine – \$250,000 or twice the gross gain or loss  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS FIFTEEN THROUGH NINETEEN: (18 U.S.C. §§ 1028(a)(7), (b)(1), (c)(3), and (f);  
18 U.S.C. § 2 — Identity Theft)

Maximum imprisonment – 15 years  
Maximum fine – \$250,000 or twice the gross gain or loss  
Supervised release term – 3 years  
Special assessment – \$100

COUNTS TWENTY THROUGH TWENTY-FOUR : (18 U.S.C. § 1028A(a)(1) —  
Aggravated Identity Theft)

Maximum imprisonment – twenty-four months mandatory consecutive to any sentence imposed